Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of:	)	
	)	
Petition for Carriage	)	
	)	
Cable One Inc.	)	CSR-8935-M
	)	MB Docket No. 17-96
By	)	
	)	
Ellington Broadcasting	)	
licensee of Low Power Television Station	)	
WHCQ-LD, Cleveland, MS	)	

To: Chief, Media Bureau

OPPOSITION TO PETITION FOR CARRIAGE

Cable One Inc. ("Cable One"), by its attorneys,[1] submits this Opposition to the Petition for Carriage (the "Petition") of Ellington Broadcasting ("Ellington"), licensee of low power television broadcast station WHCQ-LD (the "Station"), regarding carriage on Cable One's cable system in Cleveland, Mississippi, and serving communities located in the Greenwood-Greenville, MS designated market area (the "System").

As demonstrated below, the Station fails to provide a signal of good quality to the System's principal headend location as required by the Commission's rules and is therefore not eligible for carriage. As acknowledged by Ellington, the Station is licensed as a low power television station. Under Section 534(c) of the Communications Act (the "Act") and Section 76.56(b)(3) of the Commission's rules, a cable system is only required, and only under limited circumstances, to carry a "qualified low power television station."[2] Under Section 534(h)(2)(D)

[1] 47 C.F.R. § 76.7.

[2] 47 U.S.C. § 534(c); 47 C.F.R. § 76.56(b)(3).

of the Act and Section 76.55(d)(4) of the Commission's rules, the definition of a "qualified low power station" eligible for must-carry status specifically and absolutely excludes a low power station that fails to deliver an over-the-air good quality signal to the cable system's headend. [3] Under Commission signal testing standards, a good quality signal for a digital television broadcast station is a measurement of at least -61 dBm for digital signals at the input terminals of the signal processing equipment used to measure such signals.[4]

The Cable One communities served by the Cleveland System are served by a principal headend located in the nearby community of Clarksdale, MS. Cable One technicians have twice measured the Station's signal strength at the headend, first on January 31, 2017 and then again on April 11, 2017. These tests were conducted using sound engineering measurement practices and met all of the requirements of Section 76.61(a)(2) of the Commission's rules.[5] Exhibits 1 and 2 provide all of the information regarding those tests. As demonstrated in the signal measurement reports contained therein, the Station failed to deliver a good quality signal to the headend, with readings measuring between -84.8 and -102.3 dBm, all well below the -61 dBm threshold.[6] These measurements confirm that the Station is unable to deliver any viewable picture at all to the Clarksdale, MS headend. This failure disqualifies the Station from mandatory carriage on Cable One's Cleveland, MS System.

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[3] 47 U.S.C. § 534(h)(2)(D); 47 C.F.R. § 76.55(d)(4).

[4] *See* 47 C.F.R. § 76.55(d)(pp); *see also In re Cable Television Technical and Operational Requirements*, MB 12-217, Notice of Proposed Rulemaking, 27 FCC Rcd 9678, 9700 ¶ 44 (2012).

[5] 47 C.F.R. § 76.61(a)(2)

[6] Exhibit 1.

For these reasons, the Petition should be denied as the Station does not meet the minimum statutory requirements to be considered a qualified low power television station eligible for must-carry status on Cable One's Cleveland, MS cable system. The undersigned certifies that he has read the submission and to the best of his knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law; and that it is not interposed for any improper purpose.

Respectfully submitted,

Craig A. Gilley
Christen B'anca Glenn
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY & POPEO, P.C.
701 Pennsylvania Avenue, N.W.
Suite 900
Washington, DC 20004
(202) 434-7300
Counsel for Cable One Inc.

Date: April 21, 2017

EXHIBIT 1

MUST CARRY WORKSHEET

DATE: 1-31-17

CHANNEL #: 9

TIME: 11:00AM

CALL SIGN: WHCQ LD

LOCATION: Cleveland MS
SYSTEM: Cleveland
TECH: Ralph Rayner

FREQ (VID): 189.00MHz.
TEMP (F): 58
ANTENNA HEIGHT (FT): 20

	TEST 1*	TEST 2*	TEST 3*	TEST 4*	TEST 5*	TEST 6*
1. Time of test (HH:MN / AM / PM)	11:00 AM	12:07PM	1:24PM	2:30PM		
2. Receive level @ processor (dBmV)	-37.9	-43.5	-41.9	-42.5		
3. Antenna gain (dB)	+20	+20	+20	+20		
4. Cable loss 200 ft x 3.5 dBmV/100FT	-7	-7	-7	-7		
5. Splitter Loss (dBmV)	-3.5	-3.5	-3.5	-3.5		
6. Receive level @ antenna (line 2+4+5)	-48.4	-53.5	-51.9	-52.5		
7. Conversion to dBm	-97.2	-102.3	-100.7	-101.3		
8. Receive level in dBm (line 6+7)	-145.6	-155.8	-152.6	-153.8		
9. Pass / Fail (circle one): UHF (Pass = -45dBm)	Fail	Fail	Fail	Fail		
VHF (Pass = -49 dBm)	Fail	Fail	Fail	Fail		

*NOTE: For UHF stations, if the test results are worse than -51 dBm (i.e., a higher negative number such as -52 dBm), Technician must complete at least four readings during a 2-hour period. If initial test results are between -51 dBm and -45 dBm, inclusive, six readings must be taken during a 24-hour period with measurements not more than 4 hours apart. For VHF stations, if the test results are worse than -55 dBm, Technician must complete at least four readings during a 2-hour period. If initial test results are between -55 dBm and -49 dBm, inclusive, six readings must be taken during a 24-hour period, with measurements not more than 4 hours apart.

10. Make & Model of Each Item of Equipment Used (include serial number, year manufactured & last calibration Date (if applicable)): Single Bay ant. Channel 7-12 Trialithic 860DSPI,

11. Characteristics of Equipment Used (e.g., antenna ranges & radiation patterns):

VHF/UHF Antenna mounted on tower
Antenna Range: F/B RATIO 69" VSWR BEAMWIDTH HOR.60 DEGREES VER. 32 DEGREES
CHANNEL RANGE 7-12, FM, AND UHF. LENGTH 60 IN. , WIDTH 36 IN. WEIGHT 20 LBS.

12. Weather conditions (e.g., clear, cloudy, rain, snow, drizzle, fog): Clear

13. Antenna Orientation: Antenna facing North east straight towards the stations tower site.

14. Description of test: Test ran on a clear day with an antenna looking straight at the station tower site.

15. Picture quality: extremely poor to no picture at all, picture not viewable.

Comments: no comments

Technician Signature / Date

Ralph Rayner Ralph Rayner

Broadcaster's Signature / Date (for joint tests)

Diagram for testing
channel WHCQ LD
Test location Clarksdale
head-end, Clarksdale MS.

EXHIBIT 2

MUST CARRY WORKSHEET

DATE: 4-11-17

CHANNEL #: 9

TIME: 9:00AM

CALL SIGN: WHCQ LD

LOCATION: Clarksdale MS
SYSTEM: Clarksdale
TECH: Eugene Biller

FREQ (VID): 189.00MHz.
TEMP (F): 58
ANTENNA HEIGHT (FT): 20

	TEST 1*	TEST 2*	TEST 3*	TEST 4*	TES T 5*	TES T 6*
1. Time of test (HH:MN / AM / PM)	9:00 AM	1010AM	11:15AM	12:18PM		
2. Receive level @ processor (dBmV)	-36.05	-38.55	-43.55	-37.95		
3. Antenna gain (dB)	+20	+20	+20	+20		
4. Cable loss 200 ft x 3.5 dBmV/100FT	-7	-7	-7	-7		
5. Splitter Loss (dBmV)	-3.5	-3.5	-3.5	-3.5		
6. Receive level @ antenna (line 2+4+5)	-46.55	-49.05	-54.05	-48.45		
7. Conversion to dBm	-84.8	-87.3	-92.3	-86.7		
8. Receive level in dBm (line 6+7)	-131.35	-136.35	-146.35	-135.15		
9. Pass / Fail (circle one): UHF (Pass = -45dBm)	Fail	Fail	Fail	Fail		
VHF (Pass = -49 dBm)	Fail	Fail	Fail	Fail		

*NOTE: For UHF stations, if the test results are worse than -51 dBm (i.e., a higher negative number such as -52 dBm), Technician must complete at least four readings during a 2-hour period. If initial test results are between -51 dBm and -45 dBm, inclusive, six readings must be taken during a 24-hour period with measurements not more than 4 hours apart. For VHF stations, if the test results are worse than -55 dBm, Technician must complete at least four readings during a 2-hour period. If initial test results are between -55 dBm and -49 dBm, inclusive, six readings must be taken during a 24-hour period, with measurements not more than 4 hours apart.

10. Make & Model of Each Item of Equipment Used (include serial number, year manufactured & last calibration Date (if applicable)): Single Bay ant. Channel 7-12 Trialithic 860DSPI,

11. Characteristics of Equipment Used (e.g., antenna ranges & radiation patterns):

VHF/UHF Antenna mounted on tower
Antenna Range: F/B RATIO 69" VSWR BEAMWIDTH HOR.60 DEGREES VER. 32 DEGREES
CHANNEL RANGE 7-12, FM, AND UHF. LENGTH 60 IN. , WIDTH 36 IN. WEIGHT 20 LBS.

12. Weather conditions (e.g., clear, cloudy, rain, snow, drizzle, fog): Clear

13. Antenna Orientation: Antenna facing North straight towards the stations tower site.

14. Description of test: Test ran on a clear day with an antenna looking straight at the station tower site.

15. Picture quality: No picture

Comments: Chad Ellenton said that at best their output level would be is -65dBm.

Technician Signature / Date

Eugene Biller Eugene Biller

Broadcaster's Signature / Date (for joint tests)

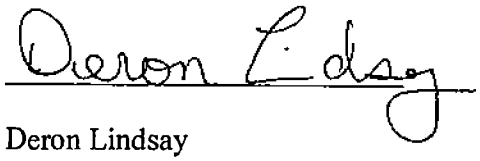
Diagram for testing
channel WHCQ LD
Test location Clarksdale
head-end, Clarksdale MS.

DECLARATION

I, Deron Lindsay, do hereby state under penalty of perjury as follows:

1. I am System General Manager of the Cable One cable system serving Cleveland, Mississippi and surrounding communities.

2. I have reviewed the foregoing "Opposition to Petition for Special Relief" and to the best of my knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and warranted by existing law.



Deron Lindsay

Date: April 21, 2017

CERTIFICATE OF SERVICE

I, Lisa K. Pate of Mintz Levin, hereby certify that I have served on this 21 day of April, 2017, a copy of the foregoing **OPPOSITION TO PETITION FOR CARRIAGE** on the following parties by first-class mail, postage pre-paid:

David Ellington
Ellington Broadcasting
PO Box 617
Webb, MS 38966

Lisa K. Pate